

02-28-05

AF/2563
ITW

Docket No.: 066661-0041

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**RESPONSE UNDER 37 CFR 1.116
EXPEDITED PROCEDURE**

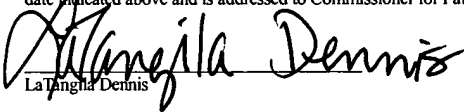
Applicant : Hood, Leroy, et al.
Appl. No. : 10/062,299
Filed : January 31, 2002
Title : GENE DISCOVERY FOR THE
SYSTEM ASSIGNMENT OF GENE
FUNCTION
Grp./A.U. : 1631
Examiner: : SMITH, Carolyn L.

Customer No.: 41552
Confirmation No.: 2563

CERTIFICATE OF MAILING BY EXPRESS MAIL(37 CFR § 1.10)

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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on Feb 25, 2005.


LaTangila Dennis

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated September 1, 2004 of the Primary Examiner finally rejecting claims 22-35.

Appeal Fee: \$ \$250.00

☒ Charge to Deposit Account No. 502624.

03/01/2005 AWONDAF1 00000062 502624 10062299

01 FC:2401 250.00 DA

Serial No.: 10/062,299

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502624 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP


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Date: February 25, 2005
SDO 26675-1.066661.0041

**Please recognize our Customer No. 41552
as our correspondence address.**